

**Berger & Montague, P.C.**  
ATTORNEYS AT LAW

## MEMO ENDORSED

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Via Facsimile (212) 805-6326

The Honorable Colleen McMahon  
United States District Judge  
United States Courthouse  
500 Pearl Street  
Room 640  
New York, NY 10007

Re: *In re Veeco Instruments Inc. Securities Litigation*  
Case No. 7:05-md-01695

*Filed*  
*Colleen McMahon*  
*10/29/07*

Dear Judge McMahon:

We received the Court's Amended Calendar Notice dated October 24, 2007, notifying counsel that the Final Settlement Fairness Hearing in the *Veeco* action is re-scheduled to Wednesday, November 7, 2007 at 9:00 a.m. (from November 2). We respectfully request that the hearing be scheduled to begin at 10:00 a.m.

As discussed in the papers that we filed with the Court today, there have been no objections to the Settlement, and only one class member has excluded himself. Therefore, the only issue before the Court will be those raised by the materials submitted by Plaintiff.

We appreciate the Court's consideration.

Respectfully submitted,

*Carole Broderick*

Carole A. Broderick

cc: Robert Serio, Esq./John Herfort, Esq./J. Ross Wallin, Esq. (via e-mail)